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UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
VOYAGEURS NATIONAL PARK
INTERNATIONAL FALLS, MINNESOTA 56649

2006 COMPENDIUM: 36 CFR 1.7(b)

DESIGNATIONS, CLOSURE, PERMIT REQUIREMENTS AND OTHER RESTRICTIONS
ARE IMPOSED UNDER THE DISCRETIONARY AUTHORITY OF THE
SUPERINTENDENT, TITLE 36 CODE OF FEDERAL REGULATIONS, CHAPTER 1

Under the provisions of Title 16, United States Code (USC), Section 3, and Title 36, Code of Federal Regulations (CFR), Chapter 1, Parts 1- 7, the following Superintendent's Orders (COMPENDIUM) are established for Voyageurs National Park. Unless otherwise noted, these orders apply in addition to the regulations contained in Parts 1- 7 of Title 36 CFR.

Approved:

/s/ James L. Hummel

James L. Hummel
Chief, Division of Visitor and Resources Protection

Date

/s/ Kathleen J. Miller

Kathleen J Miller
Superintendent

Date

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INTRODUCTION

The National Park Service is responsible for the promotion and regulation of use within the areas of its jurisdiction. Regulation of activities within National Park Service areas insures that use is consistent with the fundamental purpose of the National Park Service. The purpose as stated in the Organic Act of 1916, is to "... conserve the scenery and natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations", (16 USC sec. 1).

Legislation in 1978 further articulates the goals of enforcement in the National Parks. "The authorization of activities (within National Parks) shall be construed and the protection, management and administration of these areas shall be conducted in light of the high public value and integrity of the National Park System and (these activities) shall not be exercised in the derogation of the value and purpose for which these areas have been established except as directly and specifically provided by Congress" (16 USC sec. 1a- 1).

Authorized Law Enforcement personnel of the National Park Service enforce the spectrum of the laws in Title 16 and 18 of the United States Code and, through assimilation, a variety of state statutes. The majority of law enforcement is centered on enforcement of Title 36, Code of Federal Regulations. The regulations contained in Parts 1 through 7 of Title 36 of the Code of Federal Regulations are the basic mechanism used by the National Park Service to preserve the natural and cultural resources of the park and to protect visitors and property within the park. Parts 1 through 6 are general regulations applicable to all areas of the National Park System, with some exceptions, and part 7 contains special regulations specific to individual parks.

Contained within 36 CFR 1.5(a) "Closures and Public Use Limits", the Park Superintendent is given discretion in allowing or disallowing certain activities. Execution of authority granted by this section must comply with the Administrative Procedures Act (5 USC, section 551) which requires public notice and comment on actions with major impact on visitor use patterns, park resources or are highly controversial in nature.

36 CFR 1.6 allows the Superintendent to require a permit for certain uses within the park. A compilation of those activities requiring a permit must be maintained by the park.

Contained within Part 2 (36 CFR) are 34 sections dealing with Resource Protection, Public Use, and Recreation. Each of these sections has many subsections articulating specific provisions of a section. Within some of these subsections, the Superintendent is granted discretionary authority to restrict, allow and/or permit certain activities. This allows a superintendent to be responsive to the needs of specific park plans, programs, and special needs of visitors. It must be emphasized that this authority pertains to only a minority of the regulations within Title 36, Code of Federal Regulations, the rest of which is enforced as written, as are the United States Code and applicable state laws.

As an example in Part 2, section 2.1 "Preservation of Natural, Cultural and Archeological Resources" subsection (c) (1), states that the Superintendent may designate certain fruits, berries, nuts or unoccupied seashells which may be gathered by hand for personal use or consumption upon a written determination that the gathering will not adversely affect park wildlife, the

reproductive potential of a plant species or otherwise adversely affect park resources. The section goes on to state that the Superintendent can limit places of harvest, times, amounts and quantities.

The Compendium for Voyageurs National Park is the summary of the rule making implemented under the discretionary authority of the Park Superintendent. It serves as public notice, allows for comment and provides a list of activities requiring permits. It is stressed that it contains only a few of the laws and regulations pertaining to administration of the park. It does not contain those regulations or laws that are enforced without further elaboration at the park level. The Compendium should be used in conjunction with Title 36, Code of Federal Regulations, sections 1 through 7 to more fully understand the regulations governing Voyageurs National Park. This Compendium in no way restricts the authority of the Superintendent to otherwise place short term restrictions or closures on any use or activity for safety, resource, or other administrative concerns.

PART I - GENERAL PROVISIONS

Section 1.5 *Closures and Public Use Limits*

- (a) (1) Seasonal closures for protection of fish and wildlife may be established and will be closed and opened through posting of signs and issuance of press releases.

All ice blocks that are cut from the ice while ice fishing, spearing, or for any reason are to be immediately chopped up, submerged, or hauled to land, so they will not be a hazard to snowmobiles.

No structures, windbreaks, or shelters may be constructed of snow or ice on any lake surface.

A U.S. Coast Guard approved personal floatation device shall be worn by all persons while on board National Park Service furnished craft except for vessels that have a current USCG certification of inspection.

Fishing is open in Beast Lake for all fish species.
(Due to the successful reduction of non- native fish populations and improved recovery of the Northern Pike fish population in Beast Lake, the fishing closure implemented in 1995 has been lifted.)

The following is prohibited within 50' of the center of all staked and designated snowmobile trails on frozen lake surfaces:

- Placement of equipment or any type of structure.
- Fishing activity or other forms of recreational activity, except snowmobile operations.

Section 1.5 *Closures and Public Use Limits*

- (a) (2) The following winter portages are closed to all vehicle traffic except by special use permit during the winter season. (December 1 to March 7, inclusive. Dates may vary due to ice, road, and weather conditions):
- Crane Lake to south Mukooda Lake winter portage (special use permit only, see section 1.6f)
 - South Mukooda Lake to Sand Point Lake winter portage (special use permit only, see section 1.6f)
 - Swanson's Bay to Sand Point Lake winter portage (special use permit only, see section 1.6f)
 - Lauren's Bay to Kettle Falls on Rainy Lake winter portage (special use permit only, see section 1.6f)
 - Lost Bay to Saginaw Bay winter portage on Rainy Lake (special use permit only, see section 1.6f)

Section 1.6 *Permits*

- (f) The following activities within the Park require written special use permits:
1. Construction or Maintenance of Ice Roads (36 CFR, Sec. 1.5)
 2. Disturbances to shorelines, docks, and wetlands (36 CFR, Sec. 1.5/MNDNR permit process)
 3. Travel on winter portages (36CFR 1.5a2)
 4. Public use of NPS Vessels on Interior Lakes (36 CFR, Sec. 3.3, 1.6)
 5. Transportation of Legally Taken Wildlife (36 CFR, Sec. 2.2)
 6. Carrying or Possessing Firearms (36 CFR, Sec. 2.4)
 7. Collection of Specimens, when required by the Superintendent, (36 CFR, Sec. 2.5)
 8. All overnight use, except use and occupancy residents, private landowners and concession users (36 CFR 2.10a)
 9. Operating Power Saws in Developed Areas (36 CFR, Sec. 2.12a2)
 10. Operating Motors or Engines, including Power Saws, in Non- developed Areas (36 CFR, Sec. 2.12a3)
 11. Burning of Brush or Debris (36 CFR, Sec. 2.13a1)
 12. Removal of Downed Aircraft (36 CFR, Sec. 2.17)
 13. Possession and/or Consumption of Alcoholic Beverages in Park's Public Buildings (36 CFR, Sec. 2.35)
 14. Special Events (36 CFR, Sec. 2.50)
 15. Public Assemblies (36 CFR, Sec. 2.51)
 16. Sale or Distribution of Printed Matter (36 CFR, Sec. 2.52)
 17. Scattering of Human Ashes (36 CFR, Sec. 2.62)
 18. Overnight Mooring of Vessels at Specific Locations (36 CFR, Sec. 2.10a)
 19. All Commercial Activities (e.g. commercial vehicles, filming, sale of intoxicating beverages, business operations, construction of buildings/facilities, and right- of- ways) (36 CFR, Part 5)

PART 2 - RESOURCE PROTECTION, PUBLIC USE AND RECREATION

Section 2.1 *Preservation of Natural, Cultural and Archeological Resources*

- (a) (4) Dead and down wood, including driftwood, is designated for collection and use as campfire fuel within the Park except in developed areas.
- Individuals under a use and occupancy reservation in the park may collect dead and down wood in sufficient quantities for their use as heating fuel. Such wood cannot be removed from the Park.

- (c) (1) Cutting live or dead standing trees is prohibited.
Only the following edible species may be gathered for personal use or consumption without a written special use permit. It has been determined that gathering or consuming these species will not adversely affect park wildlife, the reproduction potential of a plant species, or otherwise adversely affect park resources.

Common Name	Scientific Name
Strawberries	Fragaria spp.
Chokecherries	Prunus spp.
Rose Hips	Rosa spp.
Blackberries	Rubus spp.
Raspberries	Rubus spp.
Blueberries	Vaccinium spp.
Cranberries	Vaccinium spp.
Wild Rice	Zizania aquatica

- (c) (2) (i) Collection of the edible plant species described in (c)(1) above is limited to one gallon per person per day.

Section 2.2 *Wildlife Protection*

- (d) A written special use permit is required to transport lawfully taken wildlife across parklands or waters. Written permission from the landowner to hunt or trap on his or her property is required for each special use permit prior to the permit being issued to anyone except the landowner of record and his or her immediate family.

A written special use permit is not required for:

- Waterfowl and wildlife lawfully taken from south and west of Black Bay and transported across park lands at the Rainy Lake Visitor Center
- Legally taken game transported through King Williams Narrows between Sand Point and Crane Lakes and on NPS 1 (commonly referred to as the Meadwood Road) from the Ash River Trail, for a distance of 1.5 miles north.

- (e) All areas within the park are closed to viewing wildlife with any type of artificial light.

Section 2.3 *Fishing*

- (a) Fish, as defined under Section 1.4, does not include mussels (clams), crayfish, frogs, and turtles. State law permitting the taking of mussels (clams), crayfish, frogs, and turtle species conflicts with federal law and is not assimilated as a permitted activity within the park.

- (d) (2) Possessing or using bait in accordance with state law, is permitted on all lakes within Voyageurs National Park.

Section 2.4 *Weapons, Traps and Nets*

Nets and spears may be possessed for non- commercial use within the Park in accordance with State law. (36 CFR 7.33a)

Section 2.10 *Camping and Food Storage*

- (a) All overnight users except use and occupancy residents, private landowners and concession users, are required to obtain a free self- registration permit from the Superintendent. One permit is required for each houseboat that uses the park overnight.
(This clarification ensures that each group that occupies a houseboat is accounted for within the park's overnight permit system. Improved accountability of use by each houseboat will ensure accurate data collection and visitor use trends within the park.)
1. From May 15 - September 15 inclusive, overnight use is limited to not more than a 14- day stay at one site and not more than a total of 30 days within a calendar year, excluding use and occupancy residents, private landowners and concession users.
 2. **OVERNIGHT USE IS PROHIBITED BETWEEN SUNSET AND SUNRISE AT:**
 - a) Designated day use sites, picnic areas, public docks, and trailheads and structures.
 - b) On National Park Service land bordering the Black Bay Wildlife Management Area during Minnesota waterfowl hunting season.
 - c) Within 1/4 mile of the Park's developed areas, including the parking lots, roads and picnic areas at the Rainy Lake, Kabetogama Lake, and Ash River visitor centers, Kettle Falls and on lands under a use and occupancy reservation without the tenants permission.
 - d) At 'Cherry Nose' Island, which is described as the traditionally used undeveloped campsite located in a small bay on the southeast edge of the island southwest of Cemetery Island on Kabetogama Lake.
 3. **HOUSEBOAT USE:**

- a) Use of designated overnight houseboat sites is limited to a maximum of two houseboats per site.
- b) Houseboats are prohibited from mooring at designated tent camping sites after 2 pm.
- c) Day use is permitted at the following public docks: mooring rings at Kettle Falls; the Rainy Lake, Kabetogama Lake and Ash River Visitor Centers; Anderson Bay, Locator Lake and Little American Island trailheads.
- d) Houseboats are defined (in the January 2002 Final GMP) as a motorized vessel that allows for a person to walk through an enclosed space while standing upright from bow to stern, contains sleeping facilities, a permanent or portable bathroom, and cooking facilities. Sailboats and cabin cruisers are not included in this definition.

4. **GROUP CAMPING:**

- a) Use of the designated group camping sites on Rainy and Kabetogama Lakes are permitted only by reservation. **(One new campsite each on Rainy and Kabetogama Lakes was constructed in 2005 for the specific purpose of accommodating large overnight groups. In accordance with the VOYA Operations Summary Worksheet dated March 9, 2006, the Superintendent adopted the preferred alternative on March 16, 2006 to manage the designated group campsites.)**
- b) A minimum of 14 people in a group is required to qualify for a reserved group camping site if the site is reserved five days or greater from the date of intended use. **(This requirement was developed site to accommodate an average of 2 people/tent based on the construction of 7 tent pads per site.)**
- c) 'Walk in' groups will not be required to have a minimum group size. 'Walk In' groups may reserve a site if they intend to use the site within four days of their arrival and if the site is not already reserved.
- d) Overnight use of the designated group camping sites is limited to a maximum of seven consecutive days. **(This limitation is in place to increase the availability of the sites to more groups and limit potential abuse of the reservation system.)**
- e) A group camping reservation will be cancelled if a member of the group does not check in with a park visitor center by 2 PM of the day of arrival.
- f) Groups utilizing a group campsite must depart the site no later than Noon.
- g) Departures from a reserved group campsite that are earlier than planned must be reported to a visitor center

or placed in a designated drop box after visitor center business hours.

- h) Overnight permits must be displayed on the 'by reservation only' sign at the group campsite and are not valid unless signed by a representative of the group and a National Park Service representative.

5. **ALL OTHER CAMPING:**

- a) Camping 'at large' is prohibited when conducted within 200 yards of the permanent campfire ring of any designated campsite, houseboat, trailhead, structure, day use site or primitive camping site. (At large is defined as a camping area that is not officially designated and identified on park maps)

- b) Houseboats camping 'at large' are prohibited from mooring within 200 yards of the permanent campfire ring of any designated campsite, houseboat, trailhead or day use site.

- c) Tents must be placed on tent pads, where provided.

- d) Tents must be actively used on an overnight basis and can not be utilized to 'reserve' a campsite for future use without physical occupancy by an individual or persons. **(This restriction further clarifies the purpose and use of a tent at campsites within the park. Due to increased visitor demands for developed camping sites, repeat problems have occurred over the past 3 years due to the placement of a tent at a campsite without the physical presence of an individual or other signs of active use by an individual or group.)**

- e) From May 1 to November 1, all food, lawfully taken fish or wildlife, garbage, and equipment used to store food (e.g., ice chests) in all park areas must be kept in a vehicle, vessel (when it is not tied up to land or dock), bear-proof food storage locker, hung from a bear pole, or suspended at least 10 feet above the ground and 4 feet horizontally from a post, tree trunk, or other object unless the food is in the process of being prepared or consumed.

Food, lawfully taken fish or wildlife, garbage, and equipment used to store food will be exempted from the above requirements if these items are stored within containers manufactured and tested as bear resistant food storage containers. Examples of approved containers include:

Garcia Backpacker	Model 812-C
Bearikade	Weekender and Expedition
	(those with serial number 1766

	or higher)
BearVault:	BearVault 110b and 200
	BearVault 250 and 300
CounterAssault	Bear Keg

(This requirement identifies the use of acceptable alternatives to food storage based on research and current practices used to manage black bears, food storage and visitor behavior in developed areas within other Park units such as Sequoia Kings Canyon and Yosemite National Park.)

- (b) Camping “at large” is permitted within 100 feet of lake shorelines.

Section 2.II *Picnicking*

- (1) Public picnicking and day use activities are permitted in designated picnic areas and anywhere else in the Park between sunrise and sunset with the following exceptions:
 - a) Concessioner facilities where tables are provided as part of a food service operation.
 - b) Developed campsites after 2 p.m. NPS residential, maintenance, service and utility areas.
 - c) Designated houseboat sites.
- (2) **DAY USE LIMITS**
 - a) Use of designated day use sites is limited to no more than 2 groups of 9 people each.
 - b) Use of designated day use sites is only permitted between the hours of sunrise and sunset.

Section 2.I3 *Fires*

- (a) (1) Campfires are permitted within the Park including overnight and day use sites, unless prohibited by a sign. Fires must be contained in developed areas and day use areas within the metal fire grill provided by the National Park Service,

The legal occupant of federally owned lands under a use and occupancy reservation is permitted to have a campfire while utilizing said property.

A state burning permit is required for burning brush or debris.

Section 2.15 *Pets*

- (a) (1) Pets are permitted within the Park except on Park trails or within undeveloped backcountry land areas.

Dog teams and dog sleds are permitted on frozen lake surfaces within the park when adequate ice and snow conditions are present.

All pets must be vaccinated and possess a valid vaccination tag as required by county ordinances.

Section 2.18 *Snowmobiles*

- (d) (4) Maximum speed limit on all overland safety portages and trails is 25 mph.

Section 2.21 *Smoking*

- (a) Smoking is prohibited in public use areas of the Park's visitor centers and in all government buildings.

Section 2.22 *Property*

- (a) (2) Structures used for fishing during the ice- fishing season may be left on the ice for longer than 24 hours in accordance with State law.

Visitors camping on public lands adjacent to or within the park may leave their vehicles and boat trailers unattended for more than 24 hours at designated parking areas. Overnight users of cabins may not leave vehicles or boat trailers in parking areas for more than 24 hours.

- (b) (2) Leaving unattended items associated with ‘geo caching’, which is an activity related to the use of GPS and the internet to locate a hidden cache of materials on park lands, is prohibited. These unattended items will be considered abandoned and impounded whenever located.

Leaving unattended boats on or near interior lakes is prohibited between sunset and sunrise.

(This restriction has been implemented to prevent the growing practice of overnight storing of small boats at interior lakes without accompanying the boats for longer than a site visit or inspection. This restriction will ensure fair and equitable access to all interior lakes for all users.)

Section 2.35 *Alcoholic Beverages and Controlled Substances*

- (a) (3) The possession or consumption of alcoholic beverages is prohibited in all visitor centers except under terms of a special use permit issued by the Superintendent.

Section 2.51 *Public Assemblies, Meetings*

- (e) A map is available in the Office of the Superintendent of the areas designated for public assemblies. These locations are approximately described as follows:

Rainy Lake Visitor Center and boat launching facility - 50 ft. by 50ft. area in the western end of the boat launch parking lot near the first island.

Kabetogama Lake Visitor Center and boat launching facility 50 ft. by 50 ft. area on the small point directly north of the launch ramp.

Ash River Visitor Center - 50 ft. by 50ft. area between the center and the parking lot.

Section 2.52 *Sale or Distribution of Printed Matter*

- (e) A map is available in the Office of the Superintendent to identify the areas designated for the sale or distribution of printed matter. These locations are approximately described as follows:

Rainy Lake Visitor Center and boat launching facility - 50 ft. by 50 ft. area in the western end of the boat launch parking lot near the first island.

Kabetogama Lake Visitor Center and boat launching facility - 50 ft. by 50 ft. area on the small point directly north of the launch ramp.

Ash River Visitor Center - 50 ft. by 50 ft. area between the center and the parking lot.

PART 3 - BOATING AND WATER USE ACTIVITIES

Section 3.3 *Permits*

A special use permit is required for overnight mooring of vessels at all docks in the following locations:

- Ash River Visitor Center
- Kabetogama Lake Visitor Center
- Rainy Lake Visitor Center
- Sand Point Ranger Station
- Little American Island

Overnight mooring special use permits at the above mentioned locations will be considered on a case by case basis under the criteria established in the general regulations under Section 1.6a.

A permit and daily use fee is required to use NPS boats associated with the Boats on Interior Lakes (BOIL) program at the following locations:

- Locator Lake
- Quill Lake
- Shoepack Lake
- Brown Lake
- Peary Lake
- Ek (Leif) Lake
- Little Shoepack Lake
- Cruiser Lake
- Cranberry Creek

Section 3.20 *Water Skiing*

- (a) Water skiing is permitted on Rainy, Kabetogama, Namakan, and Sand Point lakes.

Water skiing is prohibited in the following portions of the above lakes:

- 1) King Williams Narrows between the Park boundary and Sand Point Lake navigational buoy #27.
- 2) Namakan Narrows between navigational day marker #12 and Namakan Lake navigational day marker #14.
- 3) Kettle Falls area between navigational buoy #41 and the dam on Rainy Lake and between the dam and 100 feet west of Squirrel Narrows on Namakan Lake.
- 4) Ash River Narrows from 100 feet beyond each end of the narrows on Kabetogama Lake.
- 5) Brule Narrows between navigational buoy #12 and #32 on Rainy Lake

Section 3.21 *Swimming and Bathing*

- (a) (1) Swimming or bathing is prohibited at the docks and vessel mooring basins within the Park's developed areas, except at the Whispering Pines seasonal housing area.

Section 3.24 *Regulation of Personal Watercraft*

- (a) Use of personal watercraft is prohibited.

PART 4 – VEHICLES AND TRAFFIC SAFETY

Section 4.21 *Speed Limits*

- (b) The maximum speed limit on all designated ice roads is 30 mph and 25 mph on all overland portages and trails.

PART 7 - SPECIAL REGULATIONS

Section 7.33 *Aircraft*

- (c) (3) Aircraft are permitted to moor at any public dock within the park except at docks on public boat launch ramps.

Overnight mooring of aircraft, without a written special use permit, is prohibited within the park except when used to conduct overnight camping in the park.